

House _____ Amendment NO. _____

Offered By _____

1 AMEND House Committee Substitute for Senate Bill No. 794, Page 1, Section A, Line 3, by inserting after all
2 of said section and line the following:

3
4 "287.037. 1. Notwithstanding any other provision of law to the contrary, beginning January 1, 1997,
5 those insurance companies providing coverage pursuant to chapter 287, to a limited liability company, as
6 defined in section 347.015, shall provide coverage for the employees of the limited liability company who are
7 not members of the limited liability company. Members of the limited liability company, as defined in section
8 347.015, shall also be provided coverage pursuant to chapter 287, but such members may individually elect to
9 reject such coverage by providing a written notice of such rejection on a form developed by the department of
10 insurance, financial institutions and professional registration to the limited liability company and its insurer.
11 Failure to provide notice to the limited liability company shall not be grounds for any member to claim that
12 the rejection of such coverage is not legally effective. A member who elects to reject such coverage shall not
13 thereafter be entitled to workers' compensation benefits under the policy, even if serving or working in the
14 capacity of an employee of the limited liability company, at least until such time as said member provides the
15 limited liability company and its insurer with a written notice which rescinds the prior rejection of such
16 coverage. The written notice which rescinds the prior rejection of such coverage shall be on a form developed
17 by the department of insurance, financial institutions and professional registration. Any rescission shall be
18 prospective in nature and shall entitle the member only to such benefits which accrue on or after the date the
19 notice of rescission form is received by the insurance company.

20 2. Notwithstanding any other provision of law to the contrary, beginning January 1, 2015, a
21 shareholder of an S corporation, as defined in subsection 1 of section 143.471, with at least forty percent or
22 greater interest in the S corporation may individually elect to reject coverage under this chapter by providing a
23 written notice of such rejection to the S corporation and its insurer. Failure to provide notice to the S
24 corporation shall not be grounds for any shareholder to claim that the rejection of such coverage is not legally
25 effective. A shareholder who elects to reject such coverage shall not thereafter be entitled to workers'
26 compensation benefits under the policy, even if serving or working in the capacity of an employee of the S
27 corporation, at least until such time as such shareholder provides the S corporation and its insurer with a
28 written notice which rescinds the prior rejection of such coverage. Any rescission shall be prospective in
29 nature and shall entitle the shareholder only to such benefits which accrue on or after the date the notice of
30 rescission is received by the insurance company."; and

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32 Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Action Taken _____ Date _____